

# UPDATE

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## THE CONTROVERSY



**W**hen Google Book Search was launched, under the name Google Print in December 2004, the big question was whether the project involved violation of copyright. And sure enough, it didn't take long for publishers to raise objections. The Association of American University Presses, in a letter to Google in May 2005, expressed "mounting alarm and concern at a plan that appears to involve systematic infringement of copyright on a massive scale."

A month later, the Association of American Publishers (AAP) got into the act. It asked Google to stop scanning copyrighted books published by members of the association for at least six months and assuage fears about whether the project conformed to copyright law. Last August, Google announced it would stop scanning books for three months. "Any and all copyright holders...can tell us which books they'd prefer that we not scan if we find them in a library," said Adam Smith, senior business product manager of Google's library project.

The move did not satisfy all publishers, however, and in September the New York-based Authors Guild filed a suit against Google in the U.S. district court in New York. "It's not up to Google or anyone other than the authors, the rightful owners of these copyrights, to decide whether and how their works will be copied," said Nick Taylor, president of the Authors Guild.

Then in October, the Association of American Publishers sued Google in the same U.S. federal court on behalf of five of its members: The McGraw-Hill Companies, Pearson Education, Penguin Group (USA), Simon & Schuster and John Wiley & Sons. It sought a declaration by the court that Google commits infringement when its scans copyrighted books and an order to stop it from doing so without permission of the copyright owners. The publishers had proposed to Google that it should use the ISBN (International Standard Book Number) system to identify works under copyright and get permission from authors and publishers to scan them. Since 1967, a unique ISBN number has been assigned to every book, linking it to a particular publisher. Google said "no," according to AAP, and in November resumed scanning material. Its first online releases were 19th-century works of American history and literature. —Deepanjali Kakati